

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**NERLENS NOEL,** §  
§  
**Plaintiff,** §  
§  
v. § **CIVIL ACTION NO. 3:21-cv-2485**  
§  
**RICHARD PAUL and KLUTCH**  
**SPORTS GROUP, LLC,** §  
§  
**Defendants.** §

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Klutch Sports Group, LLC (“Defendant” or “KSG”) hereby removes the action currently pending in the 95<sup>th</sup> Judicial District Court of Dallas County, Texas, to the United States District Court for the Northern District of Texas, Dallas Division. This case is properly removable—complete diversity of citizenship exists, the amount in controversy exceeds \$75,000, and the removal is timely.

**THE STATE COURT ACTION**

1. On August 23, 2021, Plaintiff Nirlens Noel (“Noel” or “Plaintiff”) initiated this action by filing his Original Petition, in the 95<sup>th</sup> Judicial District Court of Dallas County, Texas, in the case styled *Nirlens Noel v. Richard Paul and Klutch Sports Group, LLC*, Cause No. DC-21-11373 (the “State Court Action”). On September 3, 2021, Noel filed a First Amended Petition (“Petition”) in the State Court Action. The allegations in the Petition relate to Noel’s contractual relationship with defendant Richard Paul (“Paul”).

2. Noel served KSG with a copy of the citation and Petition on September 20, 2021. This Notice of Removal is therefore timely pursuant to 28 U.S.C. § 1446(b).

3. As of the time of the filing of this Notice of Removal, Noel has not served Paul.

4. No further proceedings have been had in the State Court Action.

**APPENDIX OF DOCUMENTS**

5. Pursuant to Local Rule 81.1, KSG submits the following documents in support of this Notice of Removal:

- a. Exhibit A: An index of documents being filed with this Notice of Removal;
- b. Exhibit B: A copy of the docket sheet in the State Court Action;
- c. Exhibits C-H: All pleadings on file in the State Court Action;
- d. Exhibit I: Certificate of Interested Persons;
- e. Exhibit J: A copy of the Notice to State Court of Removal to Federal Court.

**GROUNDS FOR REMOVAL**

6. This case is properly removed to this Court pursuant to 28 U.S.C. §§ 1332 and 1441 because it is a civil action in which the amount in controversy exceeds the sum of \$75,000, exclusive of costs and interest, between citizens of different states.

7. Under 28 U.S.C. § 1446(c)(2), KSG hereby asserts in good faith that the amount in controversy in this matter exceeds \$75,000. *See Petition*, p. 9. Indeed, Noel alleges that he “lost approximately \$58 million in earnings” due to the conduct of KSG and Paul. *Id.*

8. Complete diversity of citizenship exists between the parties. 28 U.S.C. § 1332(a).

9. Noel is a citizen and resident of the State of New York. *See Petition*, p. 1. Noel is, therefore, a citizen of New York for jurisdictional purposes.

10. KSG is a Delaware limited liability company with its principal place of business in California. *See Petition*, p. 1. KSG is, therefore, a citizen of Delaware and California for jurisdictional purposes.

11. Paul is a citizen and resident of the State of California. *See* Petition, p. 1. Paul is, therefore, a citizen of California for jurisdictional purposes.

**REMOVAL PROCEDURE**

12. Pursuant to 28 U.S.C. § 1446(b), a defendant may remove an action within thirty days after receipt of a copy of the initial pleading through service or otherwise. Noel served KSG with a copy of the citation and Petition on September 20, 2021. Therefore, this Notice of Removal is timely.

13. The United States District Court for the Northern District of Texas embraces the county in which the State Court Action is now pending. Therefore, this action is properly removed to the Northern District of Texas, under to 28 U.S.C. §§ 124 and 1441(a).

14. KSG has complied fully with 28 U.S.C. § 1441, *et seq.*, the applicable Federal Rules of Civil Procedure, and the Local Rules for the Northern District of Texas.

15. KSG has attached the materials required to be filed upon removal in accordance with Local Rule 81.1.

16. KSG has tendered to the Clerk of the United States District Court for the Northern District of Texas the appropriate filing fee, along with this Notice of Removal.

17. KSG, simultaneously with the filing of this Notice of Removal, has provided the requisite notice to Noel and the 95<sup>th</sup> Judicial District Court of Dallas County, Texas.

18. KSG hereby gives notice that the State Court Action is removed to the United States District Court for the Northern District of Texas, Dallas Division.

**PRAYER**

KSG respectfully requests that further proceedings in the State Court Action be discontinued, that Cause No. DC-21-11373 currently pending in the 95th Judicial District Court

of Dallas County, Texas be removed to the United States District Court for the Northern District of Texas, Dallas Division, and that this Court assume full jurisdiction over this action as provided by law.

Date: October 11, 2021

Respectfully Submitted,

/s/ Ann Marie Arcadi

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**ATTORNEYS FOR DEFENDANT  
KLUTCH SPORTS GROUP, LLC**

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing instrument has been served upon the below counsel of record on this the 11<sup>th</sup> day of October, 2021.

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/s/ Ann Marie Arcadi

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